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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 SHAINÉ C. CAGLE,

9 Petitioner,

10 v.

11 JOHN D. SNAZA,

12 Respondent.

CASE NO. C19-5784 BHS

ORDER ADOPTING REPORT
AND RECOMMENDATION AND
DISMISSING FEDERAL HABEAS
PETITION AS MOOT

13 This matter comes before the Court on the Report and Recommendation (“R&R”)
14 of the Honorable Theresa L. Fricke, United States Magistrate Judge. Dkt. 19. The Court
15 having considered the R&R and the remaining record, and no objections having been
16 filed, does hereby find and order as follows:

- 17 (1) The R&R is **ADOPTED**;
- 18 (2) Petitioner’s federal habeas petition is **DISMISSED** with prejudice as moot;
- 19 (3) Petitioner’s motions to stay state court proceedings, Dkt. 11, and expedite
20 hearing of his motion to stay, Dkt. 12, are **DENIED** as moot;
- 21 (4) Petitioner’s *in forma pauperis* status is **REVOKED** for purposes of
22 appeal;

1 (5) A Certificate of Appealability is **DENIED**; and

2 (6) The Clerk shall enter **JUDGMENT** and close this case.

3 Dated this 4th day of December, 2019.

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6 BENJAMIN H. SETTLE
United States District Judge